

BERKELEY ESTATE FISHING SYNDICATE

CONSTITUTION

GENERAL

1. Introduction.

The Berkeley Estate Fishing Syndicate (BEFS) was established in 2002 when the, then, Berkeley Estate Manager requested a founder member of the Syndicate to set out Rules and Standing Orders for a fishing syndicate on the lower section of the Little Avon River.

The Little Avon River is a limestone river rising above Wotton-under-Edge and Inglestone Common and running westward through Charfield, Tortworth and Berkeley, entering into the River Severn close to Berkeley Nuclear Power Station. BEFS members fish the 7 1/2 miles between Damery Bridge and the Estate Kennels Bridge at Berkeley. The lower section between the Estate Kennels Bridge and the River Severn is classed as 'Free Fishing' and is open to anyone that holds the correct EA licence.

BEFS has a good working relationship with the Berkeley Estate, its Landlord, and reports to Mr Charles Berkeley and the Estate Director Regular meetings are held with the Estate where the family and Estate are kept up to date with the state of the river and the Syndicate activities. The Estate Director also reports these meetings to the Board of Trustees.

2. Overview.

This BEFS Constitution sets out the organisation and structure of the Syndicate and the process and procedures by which it will be managed. It is not a directive rather it gives non-exhaustive guidance and support to the volunteer members of the Syndicate who form the Management Group (MG) and the roles that they carry out.

It provides all Syndicate Members with information and guidance to assist them to enjoy their fishing.

The BEFS Constitution is available to all Syndicate Members via the Website.

In the event of any conflict between the provisions of the Constitution and the provisions of the Related Documents, the provisions of the Constitution shall prevail.

3. BEFS Aim.

BEFS's aim is to provide its members with enjoyable and challenging fishing on its waters of the Little Avon River.

STRUCTURE AND MEMBERSHIP

4. BEFS Structure.

The Syndicate is run by its members for its members and views itself as a friendly syndicate where member's proposals and wishes are given due consideration and

members may readily interact to enhance their fishing experience and the running of the Syndicate.

A Management Group (MG) is in place, whose members are not elected but are all volunteers, to coordinate the management of the Syndicate and its activities. Any member may volunteer to join the MG or support it by undertaking a specific task or piece of work. One individual member may not hold more than two MG positions at any one time. Further details on the MG are at Para 7.

The MG will consist of the following members

- Chairperson.
- Vice Chairperson (on an as required basis).
- Secretary.
- Treasurer.
- Membership Secretary.
- River Manager(s).
- Science Member.

5. Membership and Subscriptions.

BEFS membership will not exceed 110 in number so that the Syndicate is self-sustaining and the Membership is confirmed annually by the payment of a subscription by 31 March. Any changes proposed to the annual subscription rate will be agreed at the Annual General Meeting (AGM).

The Membership year runs from 1 April to 31 March.

Members shall:

- Pay their annual subscription promptly.
- Abide by the BEFS Regulations, Rules and Standing Orders.
- Support the Syndicate in whatever way they can and are able.
- Inform the Membership Secretary of any changes and contact details.
- Agree their personal details be retained by the Syndicate for the purposes set out in the BEFS Privacy Policy.
- Ensure their actions, words or deeds do not bring the Syndicate into disrepute.
- Accept that all their activities undertaken pursuant to or in connection with the Berkeley Estate Fishing Syndicate are done so at their own risk.

Anyone may apply for membership by contacting the Syndicate through the BEFS Website. Those who apply will be placed on a Waiting List held by the Membership Secretary. The Syndicate does not commit to offer membership to an individual because they are on the Waiting List.

The MG will review the membership each March. The review, led by the Membership Secretary, will identify departing members and prospective members will be contacted and, based on availability, offered membership for the coming season at the agreed Subscription Rate plus an administration fee.

Members who resign will not receive reimbursement of subscriptions if their resignation is submitted part way through the membership year.

Members are to renew their membership each year by the payment of annual subscriptions. Members will be issued with a Membership Card and Membership Number as they join. Replacement cards will be issued if Cards are lost or damaged beyond use.

All members will receive access to the Syndicate's Website. The website includes a secure members area.

Co-Opted Members: Where the MG identifies a capability gap or an individual offers to support the Syndicate with a specific skill but does not wish to fish then that individual may be offered "Co-Opted Membership". This recognises the individual as a non fishing member, no subscription will be paid and the Co-Opted Member has no voting rights but is covered by Syndicate insurance.

Membership may be withdrawn by the MG in the event of:

- Annual subscription remaining unpaid by 30 April annually following a written notification of default.
- Where a members' conduct is deemed to be prejudicial to the Syndicate and its members. Such conduct will be judged by the MG and the member informed of the withdrawal of membership.

6. The BEFS Annual General Meeting (AGM)

An AGM will be held in the last week of March at a location to be agreed. All members are to be invited and may attend. The MG Secretary will administer the AGM, identifying the date, time and location, sending out calling notices and an Agenda.

The format of the AGM is as follows and the MG Members will report as indicated:

- Opening/Safety Brief – Secretary
 - Welcome/Introduction – Chairperson
 - Apologies – Secretary
 - Syndicate Report – Chairperson
 - Annual Accounts and Audit – Treasurer
 - River Report – River Manager
 - Scientific Report and Catch Return Statistics – Science Member
 - Management Group Update – Chairperson
 - Proposals/Any Other Business – Secretary
 - Notable Dates – Secretary
 - Closing Remarks – Chairperson
- (The Vice-Chairperson may take on the Chairperson's duties at the AGM)

Ten members, who are not members of the MG, constitute a quorum at the AGM. In the event of no quorum being present at the notified AGM, a second date within 10 weeks shall be set and notified to members by the MG Secretary. If a quorum is not present at a second AGM, arrangements for "postal/email" responses as required, are to be made by the MG Secretary.

Proposals to be put to the AGM shall be notified at least 21 days before the meeting to the MG Secretary. At an AGM, proposals must be duly proposed and seconded and may then be carried by a simple majority of members present.

Extraordinary General Meetings (EGMs) may be called by any member who shall submit, to the MG Secretary, for consideration one or more proposals duly proposed, seconded and supported by at least ten members. On receipt of the proposal the MG Secretary shall discuss matters with the Chairperson. They may decide to call an EGM within 60 days and notify all members at least 28 days beforehand. The quorum for an EGM shall be the same as that for an AGM. If no quorum is present the same arrangements apply as with an AGM.

Minutes for both Annual and any Extraordinary General Meetings shall be available to all members within 60 days of the AGM or EGM and posted on the BEFS Website Members Area or, upon request to the MG Secretary, provided by email.

MANAGEMENT GROUP

7. Organisation.

BEFS does not have a formal committee but is managed by a group of volunteers who form the Management Group (MG). Any member of the Syndicate is welcome to get involved and become a member of the MG in any way they wish. There is no fixed membership but the following posts, their roles and responsibilities are covered: these posts may be shared by 2 members with MG agreement.

Chairperson:

The Chairperson is a senior member of the syndicate and represents the Syndicate at all levels. The Chairperson is elected by the AGM and is responsible for the effective running of the syndicate and ensures the MG carries out its roles and responsibilities to the best of their ability and in the good interests of all syndicate members. The Chairperson is to maintain the Syndicate's relationship with the Estate.

When needs be, a Vice Chairperson will be asked to take on some of the duties.

Secretary:

The role of the Secretary is to:

- Administer the Syndicate.
- Arrange all aspects of MG meetings.
- Arrange all aspects of the AGM.
- Maintain a record of both AGM and MG Meeting activity.
- Maintain and administer the syndicate website.
- Publish monthly "Newscasts" informing all members of activities and events whilst also raising matters of interest.

Treasurer:

The role of the Treasurer is to:

- Maintain all syndicate funds ensuring they are accounted for and open for inspection or audit at all times.
- Maintain bank account(s) in the name of the Syndicate.
- Be the signature for all cheques and arrange other required cheque signatories.
- Arrange an annual audit and statement of accounts for the AGM.
- Produce an overview of the accounts at each MG meeting.

- Ensure that all Syndicate bills are paid in the required time frame.
- Maintain any other funds that the Syndicate may hold.

Membership Secretary:

The role of the Membership Secretary is to:

- Maintain an effective secure recording system for all members details/data.
- Be the first point of contact for all membership enquiries and respond to these accordingly.
- Arrange annual membership renewal and supply membership cards and information packs as needed
- Arrange new membership as appropriate and maintain a New Members Waiting List.
- Maintain a working relationship with the Chairperson and Treasurer
- Act as the data controller to ensure the security of all personal information held by the syndicate.
- Be the point of contact for enquiries regarding data held by BEFS, its use and dissemination. All enquiries are to be dealt with appropriately and expeditiously.

Welfare Officer:

The role of the Welfare officer is to:

- To be the key point of contact to all members in the unlikely event of an incident
- To promote good practice by ensuring that all Club members: Are fully aware of their responsibilities around safeguarding adults at risk.
- Safeguard and promote the interests and wellbeing of adults at risk or young people with whom they are working.
- Respond appropriately to concerns.
- Take all reasonable and practical steps to protect adults at risk or young people from harm, discrimination, or degrading treatment.
- Respect and promote the rights, wishes and feelings of adults at risk.
- Make informed and confident responses to protection issues.

River Manager:

The role of the River Manager is to:

- Manage and maintain the river to provide fishing for the members.
- Liaise with Berkeley Estate Game Keepers, Tennant Farmers and Landowners on the state of the river
- Have an in-depth knowledge of the Little Avon River and the catchment area of the Vale of Berkeley.
- Arrange and control all Working Parties and ensure they are conducted in an effective way.
- Be qualified in the use of the equipment used by the syndicate and maintain a list of qualified equipment user members.
- Maintain all syndicate equipment in good working order.
- Have a working relationship with other organisations who can support the Syndicate in its work
- Patrol the river and report problems to the appropriate authority as needed. If it is within their capability deal with the problem as they see fit.

- Work closely with the Members of the MG and the Scientific Member.
- Represent the Syndicate at meetings and other events

Scientific Member:

The Syndicate has a responsibility to ensure that the river is maintained: the syndicate takes a very serious approach to this. The Scientific Member need not have an in-depth science background but be committed and interested in the scientific aspects of managing the Syndicate. The Science Member's role will involve:

- The coordination of the Syndicate River Fly Partnership (RFP) monitoring groups.
- The collection, collation and analysis of scientific data relating to the BEFS waters.

- Work at a local level with the Environment Agency, Water Boards, RFP, River Trusts and other local interest groups.
- Work closely with the River Manager.

8. MG Activity.

The MG will meet every other month on the first Thursday of that month at a time and location to be agreed by the MG Secretary. Meeting details are to be published on the Syndicate Website so that other members may attend if they so wish having given the MG Secretary due notice (7 Calendar Days) that they will attend.

Meetings will be chaired by the Chairperson or Vice Chairperson or by the senior member present who shall have a casting vote when the votes cast on any matter are equally divided. Three volunteer members shall constitute a quorum for MG business.

The MG will shall be responsible for setting the Syndicate's Regulations, Rules and Standing Orders for the general running of the Syndicate's business.

The MG may invite individuals who are not members of the Syndicate to attend MG meetings for all or part of such meetings, so that their expertise, advice and experience may be drawn on to support the Syndicate. Such individuals may be invited to make presentations and/or to take part in discussion at MG meetings but will have no vote.

The MG Secretary will maintain a record (Notes) of each MG Meeting and the decisions taken.

SYNDICATE ACTIVITY

9. River Walks.

There are 2 forms of River Walk as follows:

Annual River Walk. BEFS arranges an Annual River Walk for any current member, new members and potential members. This usually occurs in late March with the intent of introducing the fishery to those interested. Details are published by the Secretary through "Newscasts" and on the BEFS Website.

Monthly River Walks. Members of the Syndicate and the River Managers walk the river on a regular basis to confirm its condition and any maintenance activity required. These walks occur as a minimum on a monthly basis and any member of the Syndicate may contact the Chairperson via the Website if they wish to attend.

It is of note that BEFS has a network of estate tenants and local residents who walk the river regularly. They kindly report any concerns or incidents that they witness that impact on the River to the Syndicate.

Finally, and not least, many Syndicate members during their fishing excursions note concerns, incidents and points of interest and report these.

10. Work Parties.

The primary aim of every Work Party (WP) is to maintain the River such that it remains a wild fishery that Syndicate members may fish. There are 2 forms of WP as follows:

Monthly Work Parties. BEFS plans to hold a Monthly WP and a list of dates is published through the Website and again in “Newscasts” with the full details of date, time, location and work activity. The work to be carried out at each monthly WP is identified during River Walks and prioritised. Syndicate members are expected to attend at least two WPs per year and may attend as many WPs as they wish.

Ad Hoc Mid-Week Work Parties: When and where necessary an Ad Hoc Mid-Week WP may be arranged. Details will be published through the website. A number of members have volunteered to support Ad Hoc Mid-Week WPs and they will be contacted when such an event is to occur. Any member may ask to be placed on this “Calling List”.

Note: A WP Leader is identified for each WP and carries out a Risk Assessment prior to the WP. This is constantly reviewed throughout the WP.

11. Conservation and River Monitoring.

The condition of the Little Avon River and the surrounding riverbank is important to BEFS. The land that surrounds the river is, in the main, organically farmed and good farming practices are maintained. This is of help to the condition of the river.

There are, however, within the Vale of Berkeley catchment area, a number of man made constructions that can effect the condition of the river; these range from Water Treatment Plants to Major Road Systems. BEFS therefore supports a national monitoring scheme and maintains its own monitoring scheme at local level. The schemes are:

The River Fly Partnership (RFP)/Anglers’ Riverfly Monitoring Initiative (ARMI) is a national scheme that monitors watercourses throughout Britain identifying a range of freshwater invertebrates and their populations. BEFS tests 6 sites, on a monthly basis, between Damery Bridge and the Free Section just below the Kennels Bridge. Any Syndicate member may volunteer to join this Monitoring Programme and will be trained to carry out this essential and important testing.

River Quality Testing: At a local level BEFS conducts regular low level water quality testing.

Records of all testing are maintained by the Syndicate. These monitoring/testing records can give an early indication of changes in the river’s condition and act as an early warning system. They also allow post-incident analysis.

BEFS does all it can to help with conservation along the Little Avon River. Our monthly work parties constantly carry out conservation tasks that help to protect the river. The work that BEFS does also encourages a wide range of wild life. At all times, BEFS will seek advice from available sources to ensure that the work carried out is to

the benefit of the river and fishery and that it meets, where appropriate, requirements laid down by the appropriate Government bodies.

FINANCES

12. Accounts and Audit.

A qualified person shall be appointed by the MG to review and audit the Syndicates' accounts annually in preparation for the AGM. This review and audit will be published on the Website (Members Secure Area) and made available to members at the AGM. The Accounts and Audit will be proposed and seconded at the AGM as a true and accurate record and voted on.

13. Accounts Review Procedure.

The Treasurer will prepare a summary of the Syndicate Accounts for review at each MG Meeting. This summary will highlight Income versus Expenditure to date, planned or forecast expenditure, debtors and creditors. It will also identify internal budget expenditure to date.

14. Financial Planning and Budgets.

The Financial Year for BEFS runs from 1 January to 31 December annually. At each AGM the Treasurer will provide a summary and overview of the Accounts and Audit identifying major expenditure against that planned in the preceding year. Planned major expenditure in the coming year will also be identified.

A number of budget areas exist in the Syndicate; these are below; they are allocated funds at the beginning of each financial year and recorded within the BEFS accounts. Agreement to the commitment of funds against the set budgets will be through the MG or in exceptional circumstances ex-committee by email agreement of MG Members. Any such arrangements shall be documented in the next MG Meeting minutes. To allow the Syndicate to respond to ad-hoc short notice spend requirements the following Syndicate Member also have authority to commit funds in the following budget areas without recourse to the MG.

Budget	Member Responsible	Delegated Limit
Administration:		
Telephone/Postal/ Stationary	Ian Jones	£100
Other	Simon Portal	£100
Work Party:		
Equipment – New/Repairs/Training	To Be Confirmed	£200
Work Party Refreshments	Roger Patrick	£100

Any Syndicate Member who commits funds for BEFS business shall present receipted evidence to the Treasurer for the expenditure incurred. The Treasurer will then arrange reimbursement of funds. A full record of all income and expenditure together with receipted evidence shall be maintained by the Treasurer and made available to the MG or Auditor upon request.

GOVERNANCE AND RESPONSIBILITY

The BEFS believes the way it conducts itself to be an important part of being a friendly, successful, modern organisation. It considers social, ethical and environmental factors to be integral in achieving its aim and this is reflected in its values and standards. Similarly the same values and standards govern its relationships and interaction with external organisations and individuals.

13. Equity and Respect

BEFS is committed to the elimination of all unlawful or unfair discrimination on any grounds including sex and sexual orientation, race, colour, religion, politics, social background and disability – both mental and physical.

BEFS promotes an environment free from victimisation, intimidation, discrimination, bullying or harassment. It encourages mutual respect and dignity between its members.

14 Environment

Environmental issues are important to BEFS and it recognises it has a role to play in managing its environmental impact and communicating good environmental practice in the management and maintenance of its fishings by:

- Identifying and managing environmental issues within its everyday activity.
- Promoting the use of technology in support of continuing reductions in the use of natural consumable materials.
- Promoting care of the environment (flora and fauna), in particular, all watercourses and the countryside.
- Promoting good behaviour and safe practices in angling.
- Minimising the use of “plastics” in all forms in its everyday activity.

15 Malpractice, Fraud and Corruption

BEFS will encourage all members and, others in partnerships, to ensure malpractice, fraud and corruption is not tolerated and will take action taken against any perpetrators.

16 Review of BEFS Constitution and Related Documents

The MG Secretary will organise a review of The Constitution and related documents policy in January and may co-opt members to support this review. Proposals to vary the Constitution shall be proposed by the MG and notified to the BEFS Members at the same time as notice of the AGM is given.

The Constitution may only be varied with the approval of a majority of those BEFS Members present at the AGM or who have notified the MG of their vote in writing before the AGM.

Proposals for amendment and/or change will be agreed within the MG or the AGM as necessary. This is a living document.

All BEFS Members are to familiarise themselves with the Related Documents listed below and ensure that they take full account of these and comply where required to do so.

RELATED DOCUMENTS

- BEFS General regulations, Fishing Regulations and Standing Orders
- BEFS Privacy Policy
- BEFS Members Information Pack
- BEFS Website Terms and Conditions and Privacy Policy

Version No: 6 February 2024
